

REMARKS

Claims 25-45 are pending. Claims 25-45 are rejected under 35 U.S.C. §103(a) as being unpatentable over Smith (U.S. Patent 6,173,045) in view of Siefert (U.S. Patent 6,732,358). Claim 39 is objected to as having minor informalities.

Claim 39 has been amended to associate the web server with the web-accessible database. Removal of the objection is respectfully requested.

The 35 U.S.C. §103(a) Rejection

Moving to the obviousness rejection, section 702.02(j) of the MPEP provides:

35 U.S.C. 103 authorizes a rejection where, to meet the claim, it is necessary to modify a single reference or to combine it with one or more other references. After indicating that the rejection is under 35 U.S.C. 103, the examiner should set forth in the Office action:

(A) the relevant teachings of the prior art relied upon, preferably with reference to the relevant column or page number(s) and line number(s) where appropriate,

(B) the difference or differences in the claim over the applied reference(s),

(C) the proposed modification of the applied reference(s) necessary to arrive at the claimed subject matter, and

(D) an explanation why one of ordinary skill in the art at the time the invention was made would have been motivated to make the proposed modification.

35 U.S.C. 103 authorizes a rejection where, to meet the claim, it is necessary to modify a single reference or to combine it with one or more other references.

The MPEP provides that the initial burden is on the Examiner to make a prima facie case of obviousness:

The initial burden is on the examiner to provide some suggestion of the desirability of doing what the inventor has done. "To support the conclusion

that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references." Ex parte Clapp, 227 USPQ 972, 973 (Bd. Pat. App. & Inter. 1985). See MPEP § 2144 - § 2144.09 for examples of reasoning supporting obviousness rejections. (See MPEP 2142)

In addition to requiring a “convincing line of reasoning”, the Examiner’s rejection must also include at least some detailed analysis of the cited art and claims at issue:

When the motivation to combine the teachings of the references is not immediately apparent, it is the duty of the examiner to explain why the combination of the teachings is proper. Ex parte Skinner, 2 USPQ2d 1788 (Bd. Pat. App. & Inter. 1986). A statement of a rejection that includes a large number of rejections must explain with reasonable specificity at least one rejection, otherwise the examiner procedurally fails to establish a prima facie case of obviousness. (See MPEP at Id.)

The MPEP also requires that all limitations must be taught or suggested in the prior art to establish a prima facie case of obviousness:

To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). "All words in a claim must be considered in judging the patentability of that claim against the prior art." In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious. In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). (See MPEP 2143.03)

Applicants traverse the rejection as it is respectfully submitted that the Examiner has failed to establish a prima facie case of obviousness.

Applicants note that the present claims are directed towards allowing an owner of an on-line entry in a web-accessible database to update the description of the category in which their entry is indexed. *See, e.g.*, Fig. 2M and the accompanying description. In

doing so, the user is editing the description that others will see when searching the database over through the Internet. As can be seen from Figs. 2A-2T, this interaction between the entrie's owner and the database occurs through a web browser. It is respectfully submitted that this is a novel and useful functionality not found in the art at the time of the filing of the parent case in Dec. 1995.

Regarding Smith, the Examiner has cited to Col. 1, lines 62-64 for the limitation of "providing a web-accessible database modifiable by a user over a public network, said database including data entries posted by users of the database". Applicants respectfully disagree.

Applicants note that Smith is directed towards a electronic version of the traditional Yellow Pages listings. The user may search and retrieve information from a central office database and view the information on an electronic appliance. However, there is no teaching in Smith that allows a user to *post* information to the central office database. The independent claims presently pending each recite the limitation of the web-accessible database *including entries posted by users of the database*. It is respectfully submitted that Smith does not teach this functionality as there is simply no functionality in Smith for allowing users to post entries.

Additionally, there is no teaching of the device of Smith being adapted to displaying to the user a web page containing the entries retrieved. It appears that the appliance of Smith is viewing device that allows a user to search the central office database and view the results. Nowhere in Smith is it taught or suggested that the electronic device is Internet-ready and capable of running a web browser. It is respectfully submitted that the device of Smith has no Internet capabilities, and Smith

therefore does not teach or suggest the web-based functionality of the presently pending claims.

Siefert suffers from similar deficiencies. Siefert does not disclose interacting with a database through the use of web pages. Indeed, the figures of Siefert appear to disclose the use of a separate application residing on the user's computer for accessing the CLS of Siefert. *See, e.g.* Fig. 2.

Therefore, Siefert does not teach the limitations of “receiving a request from said user to update the category in which said web page is indexed in said web-accessible database; verifying the authority of the user to modify the web page; allowing the user to change the category of said web page to a user-specified category; allowing the user to provide a description of the new category; and automatically updating said web page, wherein said category description and data entries associated with said web page are associated with said user-specified category in said web-accessible database.” as alleged by the Examiner.

Additionally, Siefert does not teach or suggest the inclusion of a description associated with a user-defined category. Referring back to Fig. 2M of the present case, it can be seen that the user may enter a description of the user-defined category in addition to the name of the category. It is respectfully submitted that Siefert does not teach this functionality.

Accordingly, the instant Office Action fails to identify how each and every limitation of the presently-pending claims are to be found in the cited art of record. Accordingly, the instant Office Action fails to properly establish a *prima facie* case of obviousness.

Conclusion

It is respectfully submitted that the cited art of record fails to teach or suggest the limitations of the pending claims, and the Examiner has failed to properly establish a prima facie case of obviousness. Applicants respectfully submit that the present claims regarding allowing an owner of an on-line entry in a web-accessible database to update the description of the category in which their entry is indexed is a novel advance of the prior art of record. It is respectfully submitted that this is a novel and useful functionality not found in the art at the time of the filing of the parent case in Dec. 1995. It is respectfully requested that the instant application be reconsidered in view of the Amendment and Remarks contained herein and the instant case be allowed.

If the Examiner has any questions regarding this application or this response, the Examiner is requested to telephone the undersigned at 775-848-5624.

Respectfully submitted,
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